STATUTORY INSTRUMENTS

1986 No. 1288 (S. 110)

FOOD

COMPOSITION AND LABELLING

The Meat Products and Spreadable Fish Products (Scotland) Amendment Regulations 1986

Made - - - -	*23rd July* 1986
Laid before Parliament	*1st August* 1986
Coming into Operation	*22nd August* 1986

The Secretary of State, in exercise of the powers conferred on him by sections 4, 7 and 56 of the Food and Drugs (Scotland) Act 1956(**a**), and of all other powers enabling him in that behalf and after consultation in accordance with section 56(6) of the said Act with such organisations as appear to him to be representative of interests substantially affected by these regulations, hereby makes the following regulations:-

Title and commencement

1. These regulations may be cited as the Meat Products and Spreadable Fish Products (Scotland) Amendment Regulations 1986 and shall come into operation on 22nd August 1986.

Interpretation

2. In these regulations the expression "the principal regulations" means the Meat Products and Spreadable Fish Products (Scotland) Regulations 1984(**b**) and, unless the context otherwise requires, any reference herein to a numbered regulation or Schedule shall be construed as a reference to the regulations or Schedule so numbered in the principal regulations.

Amendment of the principal regulations

3. Regulation 6 (List of ingredients) shall be amended -

(a) by inserting in line 3 of paragraph (1) after the words "list of ingredients)" the words "and subject to paragraph (1A) of this regulation";

(b) by inserting after paragraph (1) the following paragraph:-

"(1A) If any fat in a meat product cannot be taken into account in the declaration of its minimum meat content only because the meat content declared is less than that actually present, such fat shall be

(**a**) 1956 c.30; section 4(1) was amended by the European Communities Act 1972 (c.68), Schedule 4, paragraph 3(1); section 56 was amended by the Criminal Justice Act 1982 (c.48), Schedule 15, paragraph 8 and S.I. 1984/526.
(**b**) S.I. 1984/1714.

disregarded for the purposes of paragraph (1) of this regulation unless the total lean meat content of the product is, in the case of a product to which regulation 11(2) applies, less than 50 per cent, and in any other case less than 65 per cent of the total meat content of the product.".

4. Regulation 7 (Declaration of meat or fish content) shall be amended -

(a) by deleting from paragraph (1) thereof the words "or 9(2)", and by substituting for the words in that paragraph "subject to paragraphs (3) to (7)" the words "subject to paragraphs (3) to (9)";

(b) by substituting in paragraph (7) for the words "the provisions of regulation 10(2)*(b)*" the words "the provisions of regulation 10(2A)";

(c) by adding after paragraph (7) the following paragraphs:

"(8) Nothing in this regulation shall apply to any meat product to which regulation 5 applies unless the product is required by regulation 5(2) to carry an indication of added ingredients.

(9) If it is shown that the meat or fish content of a meat product or spreadable fish product is less than that declared in the declaration required by paragraphs (1), (2) or (5) of this regulation this shall be sufficient evidence of a contravention of this regulation.".

5. Regulation 8 (Declaration of corned meat content) shall be amended by adding after paragraph (2) the following paragraph:-

"(3) If it is shown that the corned meat content of a meat product is less than that declared in the declaration required by paragraph (1) or paragraph (2) of this regulation this shall be sufficient evidence of a contravention of this regulation.".

6. Regulation 9 (Declaration of added water content) shall be amended by adding after paragraph (3) the following paragraph:-

"(4) If it is shown that the added water content of the food is greater than that declared in the declaration required by paragraph (2) of this regulation this shall be sufficient evidence of a contravention of paragraph (2) of this regulation.".

7. Regulation 10 (Miscellaneous provisions relating to declarations) shall be amended -

(a) by substituting for paragraph (2) the following paragraphs:-

"(2) Subject to paragraph (2A) of this regulation, a declaration with which a meat product or spreadable fish product is -

(a) required to be marked or labelled by any provision of regulation 7 or regulation 8, or

(b) marked or labelled in the manner permitted by regulation 7(4)

shall, if the product is required by the Food Labelling (Scotland) Regulations 1984(**a**) to be labelled with a list of ingredients, appear in immediate proximity to that list.

(2A) Where only one type of meat or cured meat, or fish or cured fish, is present in a meat product or spreadable fish product, it shall be

(**a**) S.I. 1984/1519, amended by S.I. 1984/1714.

sufficient compliance with paragraph (2) of this regulation if a declaration referred to in that paragraph appears in the list of ingredients in immediate proximity to the name of the ingredient to which it relates.";

(b) by substituting in paragraph (3), for the words "in immediate proximity to the name of the food." the words "either in the name of the food or in immediate proximity thereto.".

8. Schedule 4 (Reserved Descriptions) shall be amended -

(a) by inserting, before the words "meat content" in the requirements in Column 2 the word "required" as specified below:-

in item 1 (Burger), in line 4 of paragraph (i);

in item 2 (Economy burger), in line 4 of paragraph (i);

in item 3 (Hamburger), in line 7 of paragraph (i);

in item 4 (Chopped X), in line 4;

in item 5 (Corned X), in line 4 of paragraph (ii);

in item 6 (Luncheon meat), in line 4;

in item 10 (Sausage etc.), in line 11 of paragraph A.(i) and line 6 of paragraph A.(ii);

in item 11 (Paste etc.), in lines 7 and 19 of paragraph (ii);

(b) by substituting for item 9 the following item:-

"9. *The name* pie *or* pudding *qualified by the word "meat" or the name of a type of a meat or cured meat and also by the name of a food other than meat or cured meat.* Pasty *or* pastie. Bridie. Sausage roll.	(i) If the food is cooked it must have a meat content of not less than 12.5 per cent of the food except that if the name of the food is "pie" or "pudding" qualified by the word "meat" or the name of a type of meat or cured meat, preceded by the word "vegetable" or the name of a type of vegetable, it must have a meat content of not less than 10 per cent of the food. (ii) If the food is uncooked it must have a meat content of not less than 10.5 per cent of the food except that if the name of the food is "pie" or "pudding" qualified by the word "meat" or the name of a type of meat or cured meat, preceded by the word "vegetable" or the name of a type of vegetable, it must have a meat content of not less than 8 per cent of the food. (iii) Whether the food is cooked or uncooked, the lean meat content must be at least 50 per cent of the required meat content of the food.".

John J. MacKay,
Parliamentary Under Secretary of State,
Scottish Office.

New St. Andrew's House,
Edinburgh.
23rd July 1986.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These regulations, which apply to Scotland only, amend the Meat Products and Spreadable Fish Products (Scotland) Regulations 1984 ("the principal regulations").

The regulations -

(a) provide an exemption from the requirement in principal regulation 6 that surplus fat must be separately identified in a meat product's ingredients list for any fat which cannot be taken into account in the declaration of meat content solely because the meat content declared is less than that actually present. This exemption is conditional on the product containing a prescribed minimum proportion of lean meat (regulation 3);

(b) amend principal regulation 7 so as to exempt from the need to give an indication of minimum meat content those meat products which might be taken to consist purely of meat (whether raw, cooked or cured) other than those products required to bear an indication of added ingredients in the name of the food (regulation 4);

(c) amend principal regulations 7, 8 and 9 respectively to confirm that where a declaration is made under those regulations it is sufficient evidence of a contravention to show that -

(i) the actual meat or fish content of the meat or spreadable fish product is less than the declared content (regulation 4);

(ii) the actual corned meat content of the meat product is less than the declared content (regulation 5);

(iii) the actual added water content of the meat product is more than the declared content (regulation 6);

(d) amend principal regulation 10 -

(i) to provide that where only one type of meat or cured meat or fish or cured fish is present in a product, the declaration as to meat or fish content may appear in immediate proximity to the list of ingredients or to the name of the particular ingredient in that list; and

(ii) to permit the added water declaration to be made in or in immediate proximity to the name of the food (regulation 7);

(e) amend Schedule 4 to the principal regulations to make clear that where a proportion of lean meat is specified in column 2 of that Schedule for a product using a reserved name appearing in column 1, that proportion relates to the required minimum meat content (regulation 8);

(f) amend Schedule 4 (item 9) to the principal regulations to require that where the word "pie" or "pudding" in the name of the food is qualified by the word "meat", or the name of a type of meat or cured meat, preceded by the word "vegetable" or the name of a type of vegetable, the food must have a minimum meat content of 10 per cent when cooked and 8 per cent when uncooked (regulation 8).

SI 1986/1288
ISBN 0-11-067288-7

